

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WILBERT REESE, *et al.*,

Plaintiffs,

vs.

GREAT WEST CASUALTY COMPANY,
MILLER TRANSPORTATION SERVICES,
et al.,

Defendants.

Case No.: 2:19-cv-01468-GMN-EJY

ORDER

Pending before the Court is the Report and Recommendation of United States Magistrate Judge Elayna Youcha, (ECF No. 26), which recommends, *inter alia*, that the stay entered on December 3, 2019, be lifted; and that “Medport’s Second Motion to Quash, (ECF No. 5), and Second Motion for Protective Order, (ECF No. 6), be granted such that Medport has no present duty to respond to pending subpoenas, provided; however, that Medport shall continue to preserve all documents sought through subpoenas prompting the Second Motion to Quash.”

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. Local R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a

1 magistrate judge's report and recommendation where no objections have been filed. *See, e.g.,*
2 *United States v. Reyna-Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

3 Here, no objections were filed, and the deadline to do so has passed.

4 Accordingly,

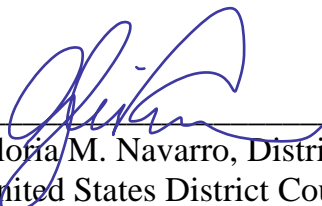
5 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 26), is
6 **ACCEPTED and ADOPTED** in full.

7 **IT IS FURTHER ORDERED** that Medport's Second Motion to Quash, (ECF No. 5),
8 and Second Motion for Protective Order, (ECF No. 6), are **GRANTED**. Medport has no
9 present duty to respond to pending subpoenas. Medport shall continue to preserve all
10 documents sought through subpoenas prompting the Second Motion to Quash.

11 **IT IS FURTHER ORDERED** that this matter be closed, without prejudice, based on
12 the ongoing stay and administrative closure of the Louisiana Action.

13 **IT IS FURTHER ORDERED** that upon the lifting of the stay on all proceedings issued
14 by the U.S. District Court for the Eastern District of Louisiana, the parties may: (a) initiate new
15 proceedings in this Court; (b) refile any motion pending at the time the matter is closed by
16 adding a new caption page incorporating the previously filed motion; and (c) similarly refile
17 any pending Responses and Replies. In addition to electronic service through the Court's
18 CM/ECF system, service of documents and any reissued subpoenas are to occur through
19 service on opposing counsel. Personal service of reissued subpoenas shall not be required.

20 **DATED** this 28 day of February, 2020.

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24 Gloria M. Navarro, District Judge
25 United States District Court